



PATENT
660057-2001

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Michael Conor MINOGUE
Michael Louis CROWE

U.S. Appln. No. : 09/902,225

U.S. Filing Date : July 10, 2001

Title of Invention : AN ELECTROTHERAPY DEVICE AND
METHOD

745 Fifth Avenue
New York, NY 10151

EXPRESS MAIL

Mailing Label Number: EV 001582174 US

Date of Deposit: January 21, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents Washington, DC 20231.

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REQUEST FOR REFUND

Office of Finance
Refund Section
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a Request For Refund of \$460.00 that is filed concurrently herewith with a Supplemental Response to Notice to File Missing Parts of Non Provisional Application.

Applicants failed to provide an Abstract with the application as filed, and in response to the Notice to File Missing Parts until now. Applicants submit that the Abstract is not

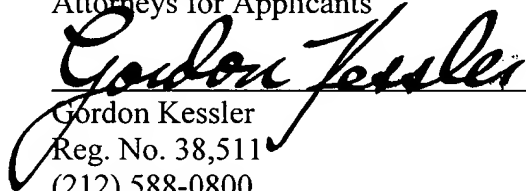
a statutory requirement for submission of an application, and indeed is not noted in section 1.52(f) or section 1.16(e) as being an item for which a fee for completion of application subsequent to filing is required. Indeed, Applicants submit that the application was complete, even without the Abstract, upon submission of the Declaration. Applicants therefore further submit that an Abstract should not be required for a complete filing, and therefore should not require an extension of time.

It is respectfully requested that the PTO credit our Deposit Account No. 50-0320 with the \$460.00.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
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By:


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